

SUPPORT FOR THE AMENDMENT

Support for the amendment to claim 1 is found on page 6, lines 14 and 20 of the specification and on page 3, lines 11-13. Support for claim 21 is found on page 6, line 14 of the specification. Support for claim 22 is found on page 7, lines 1-3 of the specification. Support for claim 23 is found on page 9, lines 15-18 of the specification. No new matter would be added to this application by entry of this amendment. Upon entry of this amendment, claims 20-24 will now be active in this application.

REQUEST FOR RECONSIDERATION

The claimed invention is directed to a vaporization system comprising a vaporization promoting element and specific sesquiterpene alcohol comprising compositions wherein the composition has no odor above a detectable threshold.

Applicants wish to thank examiner Gembeh and supervisory patent examiner Marschel for the helpful and courteous discussion held with their U.S. representative on October 17, 2006. At that time, applicants' U.S. representative argued that there was no motivation to vaporize a sesquiterpene alcohol containing composition which did not have a detectable odor based on the reference teachings of vaporization to create a fragrance. The following is intended to expand upon the discussion with the examiners.

Applicants have discovered that, in the absence of impurities which can provide a detectable odor, the claimed sesquiterpene alcohols provide efficacy as autonomic nerve regulating agents, suitable for vaporization. Such a vaporization system is nowhere disclosed or suggested in the cited prior art of record.

The rejections of claim 20 under 35 U.S.C. § 102(e) over Planker U.S. 6,142,383 and under 35 U.S.C. § 103(a) over Planker et al. U.S. 6,142,383 in view of Trinh et al. U.S. 5,833,999 is respectfully traversed.

None of the cited prior art of record discloses or suggests a vaporization system comprising a composition comprising a sesquiterpene alcohol which has no odor above a detectable threshold.

Planker is directed to an apparatus for dispensing the aroma of essentials oils (column 1, lines 9-10). The apparatus uses a direct vaporization process in order to create a pleasant or at least desired odor vapor (column 3, lines 36-39). Thus, the reference is directed to an apparatus which contains a composition which has an odor above a detectable threshold as an odor above a detectable threshold is essential to creating a pleasant or at least desired odor vapor.

In contrast, the claimed invention is directed to a vaporization system comprising a sesquiterpene alcohol containing composition, the composition having no odor above a detectable threshold. Applicants note that the claims have been amended to clarify that the vaporization system comprises a composition comprising a sesquiterpene alcohol and that the composition which comprises the sesquiterpene alcohol has no odor above a detectable threshold. As the primary reference is directed to a vaporization system for creating a pleasant and/or desirable odor it is essential that the composition being vaporized contain a material which would create such a pleasant or at least desirable odor vapor. As the claimed invention comprises a sesquiterpene alcohol containing composition which has **no odor** above a detectable threshold, the claimed invention clearly would not be obvious over the reference. How could it be obvious to place a composition which has no odor above a detectable threshold into a vaporization system for creating a pleasant and/or desirable odor? The threshold property for vaporization as identified in the prior art in the possession of a pleasant and/or desirable odor. There simply would be no motivation to have such a sesquiterpene alcohol containing composition in such a vaporization system and accordingly, the claimed invention is clearly neither anticipated nor made obvious from this reference.

Withdrawal of the rejection under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) is respectfully requested.

The basic deficiencies of the primary reference are not cured by the secondary reference.

Trinh et al. describes a personal cleansing and/or cosmetic composition containing **enduring perfumes** ... (column 1, lines 9-10). As this reference is directed to a composition which clearly has an odor above a detectable threshold, the secondary reference does not cure the principal defects of the primary reference in failing to teach an apparatus containing a composition which has no odor above a detectable threshold. Withdrawal of the rejection under 35 U.S.C. § 103(a) is respectfully requested.

The rejection of claim 20 under 35 U.S.C. § 112, first paragraph is obviated in part by appropriate amendment and traversed in part.

Applicants respectfully submit that there is a complete written description of a vaporization system comprising a composition comprising a sesquiterpene alcohol which has no odor above a detectable threshold as such is clearly described on page 3, lines 11-16 of the specification. However, in order to reduce the issues before the examiner, applicants have now amended the claims to recite specific sesquiterpene alcohols as recited on page 6 as suggested by the examiner. In view of applicants' amendment, withdrawal of this ground of rejection is respectfully requested.

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Reply to Office Action of September 26, 2006

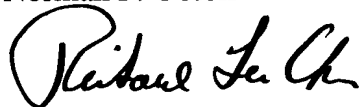
Applicants submit that this application is now in condition for allowance and early identification of such action is earnestly solicited.

Respectfully submitted,

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